

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KYLE SLOAN REED,

Defendant.

CR 20–15–M–DLC

ORDER

United States Magistrate Judge Kathleen L. DeSoto entered her Findings and Recommendation Concerning Plea on November 20, 2020. (Doc. 55.) As neither party objected, they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Therefore, the Court reviews the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge DeSoto recommends that the Court accept Kyle Sloan Reed’s guilty plea after Reed appeared before her pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to one count of possession with intent to

distribute controlled substances, in violation of 21 U.S.C. § 841(a)(1), as set forth in the Indictment. (*See Sealed Doc. 1.*)

Finding no clear error, IT IS ORDERED that the Court ADOPTS the Findings and Recommendation (Doc. 55) IN FULL.

IT IS FURTHER ORDERED that Kyle Sloan Reed's motion to change plea (Doc. 39) is GRANTED, and Kyle Sloan Reed is adjudged guilty as charged in Count II of the Indictment.

DATED this 7th day of December, 2020.



Dana L. Christensen, District Judge
United States District Court